

FILED

MAY 10 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES D. CHAVEZ,

Petitioner,

vs.

WARDEN,

Respondent.

No. C 12-00276 EJD (PR)

ORDER GRANTING EXTENSION OF
TIME TO FILE COMPLETE *IN*
FORMA PAUPERIS APPLICATION

On January 18, 2012, Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day, the Clerk of the court sent a notice to Petitioner that a filing fee of \$5.00 was now due or in the alternative, that Petitioner must file an In Forma Pauperis Application. (Docket No. 2.) Petitioner was advised that he must respond within thirty days to avoid the action being dismissed.

Petitioner filed an In Forma Pauperis application which is deficient because the Certificate of Funds in Prisoner's Account was not completed and signed by an authorized prison official. (Docket Nos. 4 & 5.)

In the interest of justice, Petitioner is granted an extension of time to file the missing document to complete the In Forma Pauperis Application. Petitioner must

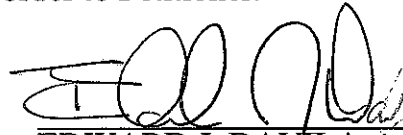
1 file a completed Certificate of Funds in Prisoner's Account **no later than thirty**
2 **(30) days** from the date this order is filed. In the alternative, Petitioner may file the
3 \$5.00 filing fee in the same time provided.

4 **FAILURE TO FILE A TIMELY RESPONSE IN ACCORDANCE**
5 **WITH THIS ORDER WILL RESULT IN THE DISMISSAL OF THIS**
6 **ACTION WITHOUT FURTHER NOTICE TO PETITIONER.**

7 The Clerk shall enclose two blank copies of the Certificate of Funds in
8 Prisoner's Account with a copy of this order to Petitioner.

9
10 DATED: _____

5/9/12



EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JAMES D. CHAVEZ,

Petitioner,

v.

WARDEN,

Respondent.

Case Number: CV12-00276 EJD

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 5/10/12, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

James D. Chavez
Pelican Bay State Prison
P. O. Box 7500
Crescent City, CA 95531

Dated: 5/10/12

Richard W. Wieking, Clerk
By: Elizabeth Garcia, Deputy Clerk